



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Douglas Anthony Able et al.

May 5, 2004

Serial No.: **10/763,026**

Group Art: **2861**

Filed: **January 22, 2004**

Examiner: **Unknown**

Title: **DYNAMIC TIME TO FIRST PRINT SELECTION**

Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

The examiner is informed that a Japanese patent application is understood to have been filed at least by the summer of 2003 directed to selectable engine speeds based on fuser warm-up time. It is known that a corresponding laser printer has been sold in Japan since the summer of 2003.

The foregoing information was known in the United States by some co-employees of the inventors of this application prior to the filing of this application (such knowledge first being in the summer of 2003). However, this invention originates from independent concepts preceding the summer of 2003.

This statement is filed under Patent and Trademark Office Rules of Practice 1.97 and 1.98 and shall not be construed as a representation that a search has been made or

that no better art exists. A citation of background art in this document is not intended to imply that such art will be cited at other stages of the prosecution of this application.

Respectfully submitted,
Douglas Anthony Able et al.



John A. Brady, Reg. No. 22,020
Attorney for Applicants
Lexmark International, Inc.
Intellectual Property Law Dept.
740 West New Circle Road
Lexington, KY 40550
(859) 232-4785